

UNCLASSIFIED//FOR PUBLIC RELEASE
MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA v. KHALID SHAIKH MOHAMMAD, WALID MUHAMMAD SALIH MUBARAK BIN ATTASH, RAMZI BINALSHIBH, ALI ABDUL-AZIZ ALI, MUSTAFA AHMED ADAM AL HAWSAWI	AE 329A ORDER Defense Motion To Waive Mr. al Hawsawi' s Appearance at the 15-16 December 2014 Session of the Military Commission 8 December 2014
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1. On 29 October 2014, the Commission issued a Docketing Order specifying “[a]ll accused must be present for the session on 15 December 2014.”¹ Mr. Hawsawi has petitioned² the Commission to be able to waive his presence at this next session of the Commission as he is not a party to the motion now scheduled for argument during that period.
2. The Commission has previously determined Defense Counsel for Mr. Hawsawi do not have a conflict in representation of their client.³
3. Based upon the unique circumstances before the Commission, the waiver of Mr. Hawsawi will be accepted. He is not required to be present at the initial session on 15 December 2014. If he chooses to be absent from any other sessions during this period he will be advised of this rights in accordance with established procedures. Defense counsel will be present at all sessions to ensure his interests are represented.

¹ Docketing Order, 29 October 2014 (AE 324), para 2.

² Defense Motion To Waive Mr. al Hawsawi's Appearance at the 15-16 October 2014 Session of the Military Commission, filed 5 December 2014 (AE 329 (MAH)).

³ Order, Emergency Joint Defense Motion to Abate Proceedings and Inquire into Existence of Conflict of Interest Burdening Counsel's Representation of Accused, 24 July 2014 (AE 292QQ), para 6.e.

4. The Motion to Waive Appearance is **GRANTED**.

So **ORDERED** this 8th day of December, 2014.

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JAMES L. POHL
COL, JA, USA
Military Judge